CONTINUATION/DIVISIONAL APPLICATION TRANSMITTAL

(Rule 53(b) Continuation or Divisional) ☐ DUPLICATE

Address to			
Assistant Commissioner for Patents **Box PATENT APPLICATION** **Washington, D.C. 20231**		Attorney Docket No.:	BEU/CHEN/CON
		First Named Inventor:	James F. CHEN, et al.
		Total Pages:	72

This requests a ☒ Continuation or ☐ Divisional application under 37 CFR 1.53(b) of prior application:

Appl. No.:	08/917,341	Group Art Unit:	2785
Filed on:	August 26, 1997	Examiner:	J. Palys
Entitled:	MULTI-ACCESS VIRTUAL PRIVATE NETWORK		

☐ 1. The entire disclosure of the pending, prior application is hereby incorporated by reference.

☒ 2. Submitted herewith is a copy of the complete prior application as filed.

☐ 3. This application is filed by fewer than all the inventors named in the prior nonprovisional application, 37 CFR 1.53(b)(1). **DELETE** the following inventor(s): _____.

☒ 4. Submitted herewith is a copy of the signed Oath/Declaration from the prior application.

☒ 5. Small entity status was established in the prior application, and is still proper and desired.

☒ 6. A One month Petition for Extension of Time is filed concurrently in the prior application.

☒ 7. The Commissioner is authorized to credit any overpayment and charge any deficiency in any fees required under 37 CFR 1.16 and/or 1.17 to Deposit Account No. 02-0200.

☒ 8. A check in the amount of $419.00 is submitted herewith.

☐ 9. Insert before the first sentence of the specification: - - This application is a ☐ Continuation ☐ Division of nonprovisional application serial number _____ filed _____. - -

☒ 10. Cancel in this application original claims 2-4, 7-17, 20-22, 24-30, and 32-34 of the prior application before calculating the filing fee. At least one independent claim is retained.

☒ 11. The prior application is assigned of record to: V-ONE Corporation.

☐ 12. Priority is claimed based on each foreign application so listed in the Oath/Declaration and a certified copy of each was filed in U.S. application number _____ filed _____.

☒ 13. A Preliminary Amendment is enclosed.

☐ 14. Other: _____.

THE FILING FEE IS CALCULATED AS FOLLOWS:				Basic Fee:	$760.00
Total Claims:	7	- 20 =	0	X $18 =	$0.00
Independent Claims:	4	- 3 =	1	X $78 =	$78.00
Correspondence Address: BACON & THOMAS, PLLC, 625 Slaters Lane, 4th Floor, Alexandria, VA 22314-1176				Multiple Dependent Claim (add $260 00).	
				Subtotal:	$838 00
				50% Reduction if Small Entity Status	$419 00
Phone: 703-683-0500 Fax: 703-683-1080				Total:	$419.00

Date:	Name:	Signature:	Reg. No.
February 26, 1999	Benjamin E. Urcia		33,805

A:\application.trs.wpd

(16Nov1998)

VERIFIED STATEMENT (DECLARATION) BY A SMALL BUSINESS CONCERN CLAIMING SMALL ENTITY STATUS UNDER *37 CFR 1.9(F) AND 1.27(C)*

APPLICANT OR PATENTEE: **James F. CHEN et al.**
SERIAL OR PATENT NUMBER: **08/917,341**
FILED OR ISSUED: **August 26, 1997**
TITLE: **MULTI-ACCESS VIRTUAL PRIVATE NETWORK**

DOCKET #: **BEU/V-One/VPN**
GROUP ART UNIT:
EXAMINER:

I hereby declare that I am

☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: **V-ONE CORPORATION**
Address: **20250 Century Blvd., Suite 300, Germantown, Maryland 20874**

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in *13 CFR 121.3-18*, and reproduced in *37 CFR 1.9(d)*, for purposes of paying reduced fees under *section 41(a) and (b) of Title 35, United States Code*, in that the number of employees of the concern, including those of its affiliates, **does not exceed 500 persons**. For purposes of this statement, (1) the number of employees is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the matter described in:

☐ The specification filed herewith, with the title as listed above.
☒ The patent application identified above.
☐ The PCT International patent application identified above.
☐ The patent number identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under *37 CFR 1.9(c)* if that person made the invention, or by any concern who would not qualify as a small business concern under *37 CFR 1.9(d)*, or a nonprofit organization under *37 CFR 1.9(e)*. Each person or organization having any rights in the invention is listed below:

☒ No such person, concern or organization.
☐ Each such person, concern or organization as listed below:

FULL NAME / ADDRESS	
	☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME / ADDRESS	
	☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

☐ See attached sheet for additional person(s), concern(s) or organization(s).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate *(37 CFR 1.28(b))*.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under *section 1001 of Title 18 of the United States Code*, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

NAME AND TITLE	DATE
James F. Chen **President/CEO**	10/2/97
ADDRESS	SIGNATURE
20250 Century Blvd., Suite 300 Germantown, Maryland 20874	

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Rule 53(b) Continuation of:	)	
	)	
U.S. Patent Appl. S.N. 08/917,341 (8/26/97)	)	**Examiner: J. Palys**
	)	
Applicant: James F. CHEN *et al.*	)	**Group Art Unit: 2785**
	)	
Filed: Concurrently Herewith	)	

For: MULTI-ACCESS VIRTUAL PRIVATE NETWORK

PRELIMINARY AMENDMENT BEFORE EXAMINATION

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Before examination of the continuation application filed concurrently herewith under 37 CFR 1.53(b), kindly amend the application in accordance with the following particulars:

IN THE SPECIFICATION (35 U.S.C §120 Priority Statement):

Page 1, line 3, after the title and before the heading "BACKGROUND OF THE INVENTION", insert the following sentence:

--This application is a continuation of U.S. Patent Application Ser. No. 08/917,341, filed August 26, 1997, pending.--.

IN THE CLAIMS:

Please cancel claims 2-4, 7-17, 20-22, 24-30, and 32-34, without prejudice or disclaimer.

Please amend claims 1, 18, and 31, as follows:

--1. (Amended) Apparatus for carrying out communications over a multi-tier virtual private network, said network including a server and a plurality of client computers, the server and client computers each including means for transmitting data to and receiving data from an open network, comprising:

means for intercepting function calls and requests for service sent by an applications program on one of said client computers to a lower level set of communications drivers; [and]

means for causing an applications level authentication and encryption program in said one of said client computers to communicate with the server, generate [said] a session key, and use the session key generated by the applications level authentication and encryption program to encrypt files sent by the applications program before transmittal over said open network.

18. (Amended) Computer software for installation on a client computer of a multi-tier virtual private network, said network including a server and a plurality of client computers, the server and client computers each including means for transmitting data to and receiving data from an open network,

wherein said computer software includes:

applications level encryption and authentication software arranged to communicate with the server in order to: a.) mutually authenticate the server and the client computer initiating communications with the server and b.) generate a session key for use by the client computer initiating communications to encrypt files;

and a shim arranged to intercept function calls and requests for service sent by an applications program to a lower level set of communications drivers in order to cause the applications level authentication and encryption program to communicate with the server, generate said session key, and use the session key operated

by the applications level encryption and authentication software to encrypt files sent by the applications program before transmittal over said open network.

31. (Amended) A method of carrying out communications over a multi-tier virtual private network, said network including a server and a plurality of client computers, the server and client computers each including means for transmitting data to and receiving data from an open network, comprising the steps of:

intercepting function calls and requests for service sent by an applications program in one of said client computers to a lower level set of communications drivers;

causing an applications level authentication and encryption program said one of said client computers to communicate with the server, generate [said] a session key, and use the session key generated by the applications level authentication and encryption program to encrypt files sent by the applications program before transmittal over said open network.--.

REMARKS

In parent U.S. Patent Application Ser. No. 08/917,341, claims 1, 5, 6, 16-19, 23, and 31 were rejected based on U.S. Patent No. 5,657,390 (Elgamel), and claims 2-4, 7-15, 20-22, 24-30, and 32-34 were allowed or indicated as being directed to allowable subject matter. In response, the claims indicated as allowable were re-written in independent form to include the limitations of the claim(s) from which they depended, with the remaining claims (including claims 16 and 17) being either already allowed or made dependent from allowed claims.

The present continuation application is directed solely to the rejected claims. The reason for presenting the rejected claims in this continuation application is that

Applicant does not believe that the Elgamel patent discloses or suggests the following concepts:

1. The concept of using "means for intercepting function calls...sent by an applications program on one of said client computers to a lower level set of communications drivers...and...means for causing an applications level authentication and encryption program...to...encrypt files sent *by the applications program*...," as claimed in claim 1;

2. A "shim" which intercepts the function calls and causes the applications level authentication and encryption program to communicate with the server and encrypt files as recited in claims 5 and 18; and

3. A method corresponding to the "means" of claim 1.

In Elgamel, the security protocol is implemented through the use of a secure sockets layer (SSL) which is bound to the applications program. As explained in col. 5, lines 17-35, the sockets layer "establishes a sockets connection with an application running on a remote computer and then performs a security handshake." This is in contrast to a conventional socket layer which just establishes the sockets connection and does not provide authentication and encryption.

The secure sockets layer disclosed in Elgamel thus *replaces* the conventional socket and is used by applications programs in the same manner as the conventional socket layer except that four additional function calls are added: "SSL_open, SSL_write, SSL_read, and SSL_close," as explained in col. 13, lines 1-57. In order to use the secure sockets layer to provide encryption services, an applications program must include the four function calls.

In contrast, the present invention does not necessarily replace any existing sockets or libraries, or require modification of existing applications programs.

Instead, it intercepts function calls used by the existing non-secure socket and diverts them to an applications level authentication and encryption program, which then uses the existing socket to establish communications with an authentication proxy server in order to perform the authentication and generate session keys. The applications program making the function call could just as well be making the function call to the ordinary socket rather than to the shim and is not affected by the authentication and encryption that is taking place, and as a result the present invention can be used with a wider range of applications programs and with a wider range of operating systems and socket connections than is possible with an Elgamel-type secure sockets layer. This provides the unique advantage of enabling direct peer-to-peer communications by any applications capable of using whatever socket programs are already installed in the client.

In other words, instead of just providing a socket that provides encryption services as in the Elgamel patent, the present invention inserts a shim between the sockets layer and applications programs that use the sockets layer. The shim diverts function calls to an applications level encryption and authentication program in a manner that is transparent to both the socket and the applications program, and the applications level encryption and authentication program initially directs communications to an authentication server in a manner which is also transparent to the applications program and sockets layer. There is no need to modify either the sockets layer or the applications program by adding new function calls as taught by Elgamel, and yet the invention provides a higher level of service and collateral functions for a wider variety of applications programs than is provided by the Elgamel secure sockets layer because, as claimed, authentication and generation of keys are carried out by communications between the applications level authentication and encryption program and a dedicated authentication proxy server.

As a result, it is believed that the claims presented in this continuation application are allowable over the Elgamel patent and all other references of record.

Early and favorable consideration of the amended claims on the merits is respectfully requested.

Respectfully submitted,

BENJAMIN E. URCIA
Registration Number 33,805

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Date: February 26, 1999

NWB-B:\53B.PRE

MULTI-ACCESS VIRTUAL PRIVATE NETWORK

BACKGROUND OF THE INVENTION

1. Field of the Invention

This invention relates a system and method for allowing private communications over an open network, and in particular to a virtual private network which provides data encryption and mutual authentication services for both client/server and peer-to-peer applications at the applications, transport driver, and network driver levels.

2. Discussion of Related Art

A virtual private network (VPN) is a system for securing communications between computers over an open network such as the Internet. By securing communications between the computers, the computers are linked together as if they were on a private local area network (LAN), effectively extending the reach of the network to remote sites without the infrastructure costs of constructing a private network. As a result, physically separate LANs

can work together as if they were a single LAN, remote computers can be temporarily connected to the LAN for communications with mobile workers or telecommuting, and electronic commerce can be carried out without the risks inherent in using an open network.

In general, there are two approaches to virtual private networking, illustrated in Figs. 1A and 1B. The first is to use a dedicated server 1, which may also function as a gateway to a secured network 2, to provide encryption and authentication services for establishment of secured links 3 between the server 1 and multiple clients 4-6 over the open network 7, represented in Fig. 1A as a cloud, while the second is to permit private communications links 8 to be established between any two computers or computer systems 9-12 on network 7, as illustrated in Fig. 1B.

The advantages of a client/server arrangement such as the one shown in Fig. 1A are that the server can handle functions requiring the majority of the computing resources, increasing the number of potential clients, and that management of the network, including key management is centralized. The disadvantage of a client/server network of this type is that peer-to-peer communications links between applications on the client computers cannot utilize the security and management functions provided by the server, leaving such communications unprotected. On the

other hand, the advantage of the direct peer-to-peer approach illustrated in Fig. 1B is that it permits secured links to be established between any computers capable of carrying out the required security functions, with the disadvantages being the cost of configuring each computer to carry-out encryption, authentication, and key management functions, and the lack of central control.

In both the client/server and peer-to-peer approaches, a virtual private network can in theory be based either on applications level technology or can operate at a lower level. Generally, however, peer-to-peer "tunneling" arrangements require modification of the lower layers of a computer's communications architecture, while client/server arrangements can use the applications level approach because less modification of the clients is required, and thus the two approaches are in practice mutually exclusive. The present invention, on the other hand, seeks to provide a virtual private network which utilizes a client/server approach, including centralized control of encryption, authentication, and key management functions, while at the same time enabling secured peer-to-peer communications between applications, by utilizing the server to provide authentication and session key generation functions for both client to server communications and peer-to-peer communications, providing a virtual private network capable of serving both as an extended intranet or wide area network (WAN), and as a commercial mass marketing network,

with high level mutual authentication and encryption provided for all communications.

In order to completely integrate the two approaches and maximize the advantage of each approach, the invention maintains the applications level infrastructure of prior client server private networking arrangements, while adding shims to lower levels in order to accommodate a variety of peer-to-peer communications applications while utilizing the applications level infrastructure for authentication and session key generation purposes. This results in the synergistic effect that not only are existing peer-to-peer tunneling schemes and applications level client server security arrangements combined, but they are combined in a way which greatly reduces implementation costs

In order to understand the present invention, it is necessary to understand a few basic concepts about computer to computer communications, including the concepts of "layers" and communications protocols, and of mutual authentication and file encryption. Further information about layers and protocols can be found in numerous sources available on the Internet, a few of which are listed at the end of this section, while a detailed description of a mutual authentication and encryption system and method suitable for use in connection with the present invention can be found in U.S. Patent No. 5,602,918, which is incorporated herein by reference. In general, the basic

communications protocols and architecture used by the present invention, as well as authentication, encryption, and key management schemes, are already well-known, and can be implemented as a matter of routine programming once the basic nature of the invention is understood. The changes made by the present invention to the conventional client server virtual private network may be thought of as, essentially, the addition of means, most conveniently implemented as shims, which add a secured mutual authentication and session key generation channel between the server and all parties to a communication, at all levels at which a communication can be carried out.

Having explained the key differences between the present invention and existing systems, the basic concepts of layers and so forth will now be briefly explained by way of background. First, the concept of "layers," "tiers," and "levels," which essential to an understanding of the invention, simply refers to libraries or sets of software routines for carrying out a group of related functions, and which can conveniently be shared or called on by different programs at a higher level to facilitate programming, avoiding duplication and maximizing computer resources. For example, the Windows NT device driver architecture is made up of three basic layers, the first of which is the Network Driver Interface Specification (NDIS 3.0) layer, the second of which is called the Transport Driver Interface (TDI) layer, and the third being the file

systems. These layers are generically referred to as the network driver layer, the transport or transport driver layer, and the applications layer.

In the Windows NT architecture, the TDI layer formats data received from the various file systems or applications into packets or datagrams for transmission to a selected destination over the open network, while the NDIS layer controls the device drivers that send the data, packets, or IP datagrams, for example by converting the stream of data into a waveform suitable for transmission over a telephone line or a twisted pair cable of the type known as an Ethernet.

By providing layers in this manner, an applications software programmer can design an application program to supply data to the TDI layer without having to re-program any of the specific functions carried out by that layer, and all of the transmission, verification, and other functions required to send a message will be taken care of the TDI layer without further involvement by the applications software. In a sense, each "layer" simply accepts data from the higher layer and formats it by adding a header or converting the data in a manner which is content independent, with retrieval of the data simply involving reverse conversion or stripping of the headers, the receiving software receiving the data as if the intervening layers did not exist.

In the case of Internet communications, the most commonly used set of software routines for the transport or TDI layer, which takes care of the data formatting and addressing, is the TCP/IP protocol, in which the transport control protocol (TCP) packages the data into datagrams and provides addressing, acknowledgements, and checksum functions, and the internet protocol (IP) further packages the TCP datagrams into packets by adding additional headers used in routing the packets to a destination address. Other transport protocols which can be included in the TDI layer include the user diagram protocol (UDP), the internet control message protocol (ICMP), and non-IP based protocols such as Netbeui or IPX.

Additional "protocols" are may be used at the applications level, although these protocols have nothing to do with the present invention except that they may be included in the applications programs served by the network. Common applications level protocols which utilize the TCP/IP protocol include hypertext transfer protocol (HTTP), simple mail transfer protocol (SMTP), and file transfer protocol (FTP), all of which operate at the layer above the transport layer.

Some applications are written to directly call upon the TCP functions. However, for most applications utilizing a graphical user interface conveniently rely on a set of software routines which are considered to operate

above the TDI layer, and are known as sockets. Sockets serve as an interface between the TCP set of functions, or stack, and various applications, by providing libraries of routines which facilitate TCP function calls, so that the application simply has to refer to the socket library in order to carry out the appropriate function calls. For Windows applications, a commonly used non-proprietary socket is the Windows socket, known as Winsock, although sockets exist for other operating systems or platforms, and alternative sockets are also available for Windows, including the Winsock 2 socket currently under development.

In order to implement a virtual private network, the encryption and authentication functions must be carried out at one of the above "levels," for example by modifying the network drivers to encrypt the IP datagrams, by inserting authentication headers into the TCP/IP stacks, or by writing applications to perform these functions using the existing drivers. If possible, it is generally desirable to minimize modification of the existing levels by adding a layer to perform the desired functions, calling upon the services of the layer below, while utilizing the same function calls so that the higher layer also does not need to be modified. Such a layer is commonly referred to as a "shim."

As indicated above, the preferred approach to implementing client/server virtual private networks is to

use an applications level security system to encrypt files to be transmitted, and to then utilize existing communications layers such as Winsock, or TCP/IP directly. This is the approach taken by the commercially available access control system known as SmartGATE™, developed by V-One Corp. of Germantown, Md., which provides both encryption and mutual authentication at the applications level utilizing a dedicated server known as an authentication server and authentication client software installed at the applications level on the client computers. A description of the manner in which encryption and mutual authentication is carried out may be found in the above-cited U.S. Patent No. 5,602,918. While the principles of the invention are applicable to other client/server based virtual private networks, SmartGATE™ is used as an example because it provides the most complete range of mutual authentication and encryption services currently available.

The present invention can be implemented using the existing SmartGATE™ system, but adds mutual authentication and encryption services to lower layers by intercepting function calls or data packets and, during initialization of a communications link, establishing separate channels between the party initiating the communication and the authentication server, and between the authentication server and the party which is to share in the communication, so as to mutually authenticate the parties

with respect to the server, and so as to establish a session key which can be used for further direct communications between the parties.

A number of protocols exist which can be used, in total or in part, to implement the mutual authentication and encryption services at the lower layers, using the same basic authentication and encryption scheme currently implemented by SmartGATE™ at the applications level. These include, by way of example, the SOCKS protocol, which places a shim between the TDI or transport layer and the applications, and the commercially available program, known as SnareNet, which operates at the network driver level and can be directly utilized in connection with the present invention.

On the other hand, a network level implementation such as the SKIP protocol, which operates below the TDI layer to encrypt the datagrams, and which in its description explicitly precludes the generation of session keys (see the above cited U.S. Patent No. 5,602,918), is fundamentally different in concept than the present invention. Similarly, alternative implementations such as Point-to-Point Tunneling Protocol (PPTP) which involve modifying the TCP/IP stack and/or hardware to provide encryption, as opposed to inserting shims, are not utilized by the preferred embodiment of the present invention, although individual aspects of the protocol could perhaps

be used, and the present system could be added to computers also configured to accept PPTP communications.

The SmartGATE™ system uses public key and DES encryption to provide two-way authentication and 56-bit encrypted communications between a server equipped with the SmartGATE program and client computers equipped with a separate program. Currently, SmartGATE™ operates at the highest level, or applications level, by using shared secret keys to generate a session key for use in further communications between the authentication server or gateway and the client program. Since the session key depends on the secret keys at the gateway and client sides of the communication, mutual authentication is established during generation of the session key, which can then be used to encrypt further communications.

When installed on a client system, the SmartGATE™ client software reads a request for communications by an applications program, such as a browser program, and then proceeds to establish its own communications link with the destination server to determine if the server is an authentication server. If it is not, control of communications is relinquished, but if it is, then the security program and the server carry out a challenge/response routine in order to generate the session key, and all further communications are encrypted by the security program. Although this program is placed between

the Winsock layer and the applications, it does not function as a shim, however, because it only affects communications directed to the authentication server.

Having briefly summarized the concepts used by the present invention, including the concepts of layers, protocols, and shims, and having described a specific applications level security program which is to be modified according to the present invention by adding shims in a way which enables secured authentication and session key generation channels to be set up from the lower layers, it should now be possible to understand the nature of the invention, and in particular how it integrates the two approaches to virtual private networking in a way which greatly expands the concept and yet can easily be implemented. More details will be given below, but as a final observation in this background portion of the patent specification, it should be noted that while the overall concept of the invention is in a sense very simple, it is fundamentally at odds with present approaches. For example, the literature is replete with references to conflicts between VPN standards and implementations, as exemplified by the title of an article from LAN Times On-Line, 9/96, (http://www.wcmh.com/), which reads *Clash Over VPN Supremacy*. Even a cursory search of the available literature indicates that the amount of information and choices available to those wishing to set up a virtual private network is overwhelming. One can choose between

Netscape Communications Secure Socket Layer, Open Market Inc.'s Secure HTTP, Microsoft's PPTP, among others. However, all of these approaches operate at a single level, and force a choice between establishing a network of the type shown in Fig. 1A and a network of the type shown in Fig. 1B. Only the present invention offer the advantages of both approaches, without the inflexibility of client/server arrangements or the costs of more distributed architectures.

For further information on the various competing VPN protocols and systems, see also *The Development of Network Security Technologies*, Internet Smartsec, 2/97 (http://www.smartsec.se), which compares SmartGATE™ to other application level security systems, including PPTP, SSL, and S-HTTP; *Point-To-Point Tunneling Protocol (PPTP) Frequently Asked Questions*, Microsoft Corp., date unknown, (http://www.microsoft.com), *Simple Key-Management for Internet Protocols (SKIP)*, Aziz *et al.*, date unknown, (http://skip.incog.com), and *SOCKS Protocol Version 5, RFC 1928*, Leech *et al.*, 3/96 (http://andrew2.andrew.cmu.edu) (this document describes a protocol involving a TDI shim). For more general information on security problems, Internet protocols, and sockets, see *Introduction to the Internet Protocols*, Charles L. Hedrick, Rutgers University, 1987 (http://oac3.hsc.uth.tmc.edu); *Windows Sockets - Where Necessity is the Mother of Reinvention*, Stardust

Technologies, Inc., 1996, (http//www.stardust.com), and *Secure Internet Connections*, LAN Times, 6/17/96 (Ibid).

SUMMARY OF THE INVENTION

It is accordingly a principal objective of the invention to provide a client/server virtual private network which is capable not only of carrying out authenticated secure communications over an open network between an authentication server and clients, but also authenticated secure peer-to-peer communications.

It is also an objective the invention to provide a virtual private network that provides data encryption and mutual authentication for both client/server and peer-to-peer communications for different-types of applications, using both the applications level and lower levels of a communications hierarchy.

It is a further objective of the invention to provide a client/server virtual private network which can provide both client/server and peer-to-peer encryption and authentication services for any application sharing a specified socket or sockets, whether or not the application is recognized by the encryption and authentication program.

It is a still further objective of the invention to provide a client/server virtual private network which can

provide encryption and authentication services at the applications level, transport driver interface level, and network interface level, without the need for modifying either the communication driver or network driver, or any sockets utilizing the communications driver interface.

It is yet another objective of the invention to provide a virtual private network which provides encryption and authentication services for peer-to-peer communications while maintaining centralized control of key distribution and management functions.

Finally, it is also an objective of the invention to provide a virtual private network which provides encryption and authentication services for peer-to-peer communications and in which registration is carried out by a central gateway server.

These objectives of the invention are accomplished by providing a virtual private network for communicating between a server and clients over an open network and in which the clients are equipped with an applications level encryption and mutual authentication program which includes at least one shim positioned above either the socket, transport driver interface, or network interface layers of a client computers communications hierarchy, and which intercepts function calls or data packets in order to authenticate the parties to the communication by

establishing secured channels between the server and the parties to the communication, prior to establishment of the secured communications link between the parties, in order to carry out mutual authentication and session key generation functions.

More particularly, according to the principles of a preferred embodiment of the invention, client communications software is provided which, at the socket or transport driver interface levels, intercepts function calls to the socket or transport driver and directs calls to the authentication server in order to perform encryption and authentication routines, and at the network driver interface, performs encryption and authentication functions by intercepting the datagrams or data portions of the packets transmitted by the transport driver interface based on communications between the authentication server and the client. According to this aspect of the invention, a system of providing authentication and encryption services for the purpose of establishing a virtual private network includes a plurality of shims arranged to operate at different protocol levels in order to establish a common secure communications link to an authentication server.

In one especially preferred embodiment of the invention, the client software includes a Winsock shim arranged to intercept function calls to the Winsock library on a client machine and redirect initial communications

through the authentication client software to the authentication server, so that any function calls to the Winsock library of programs are intercepted by the shim and carried out by the applications level security program. In this embodiment, the client authentication software substitutes its own function calls for the original function calls in order to establish a secured communications link to the authentication server over which such functions as mutual authentication between the client and server, indirect authentication of peer applications by the now trusted server, session key generation, are carried out, as well as ancillary functions such as on-line registration (OLR), utilizing the unmodified original Winsock library and TCP/IP communications stacks.

By inserting a shim at the Winsock level, an applications level client/server based security program such as SmartGATE™ can be used to provide secure communications for any application which utilizes the Winsock library. In addition, by including analogous shims at other levels, the invention can be used to secure virtually any communications application, including those which by-pass the TDI layer and communicate directly with the network driver level.

Instead of the current array of mutually exclusive alternative methods and systems of establishing secured communications over an open network, the invention thus

provides a single integrated method and system capable of carrying out both client/server communications and peer-to-peer communications between a wide variety of communications applications regardless of whether the applications use a socket or even commonly accepted internet protocols, with complete mutual authentication and encryption of data files at all levels and between all parties to the network.

It will be appreciated that the term "virtual private network" is not to be taken as limiting, and that the principles of the invention can be applied to any remote access schemes which utilize the Internet or other relatively insecure networks to provide access for remote users, corporate intranets, and electronic commerce.

BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1A is a schematic diagram of a client/server virtual private network.

Fig. 1B is a schematic diagram of an alternative virtual private network based on peer-to-peer communications.

Fig. 2 is a functional block diagram showing the operation of an applications level security program in a conventional communications network hierarchy.

Fig. 3 is a functional block diagram showing the communications network hierarchy of Fig. 1, modified to provide a second layer of service in accordance with the principles of a preferred embodiment of the invention.

Fig. 4 is a functional block diagram showing the communications network hierarchy of Fig. 2, modified to provide a third layer of service in accordance with the principles of the preferred embodiment.

Fig. 5 is a functional block diagram showing the communication network hierarchy of Fig. 3, modified to provide a fourth layer of service in accordance with the principles of the preferred embodiment.

Fig. 6 is a schematic diagram of a virtual private network utilizing the principles of the preferred embodiment of the invention.

Fig. 7 is a flowchart illustrating a method of implementing the system of the preferred embodiment.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

Fig. 2 illustrates the operation of a client authentication program which is utilized in the present invention. An example of such a program is the SmartGATE™ program discussed briefly above, although other

applications level security programs, whether or not token based, could be modified in a manner similar to that discussed in the following description. The illustrated hierarchy is the Windows NT architecture, although versions of SmartGATE™ exist for other architectures, and the invention could easily be adapted for use with any version of SmartGATE™, including UNIX and MacIntosh versions, as well as for use with applications level security programs designed for communications architectures other than those supported by SmartGATE™. Conversely, it is intended that the present invention can be used with authentication and encryption schemes other than that used by SmartGATE™ and disclosed in U.S. Patent No. 5,602,918. For purposes of convenience, therefore, the software represented by SmartGATE™ is simply referred to as client authentication software.

In addition, it noted that the client computer architectures illustrated in Figs. 3-6, which are modified versions of the architecture of Fig. 2, is to be used with an overall network layout such as the one illustrated in Fig. 6, which includes an authentication server that may be a SmartGATE™ server, or another server depending on the client authentication software. The invention is not merely the addition of shims to the client software, but involves the manner in which the shims are used in the establishment of the authentications and key generation links to the server.

Turning to Fig. 2, which provides background for the description of the invention illustrated in Figs. 3-6, the client authentication software 20 is situated above the boundary of the transport or TDI layer 21 and is designed to utilize a socket 22, such as Winsock, to carry out communications with the authentication server 23 shown in Fig. 6 by means of a transport protocol such as TCP/IP, UDP, or the like, which in turn supply datagrams or packets to a hardware driver layer 24, such as NDIS 3.0, of a network or modem connection 25.

In operation, the client authentication software 20 intercepts interconnect calls 26 form client authentication software supported applications 27 and, if the calls are directed to the authentication server 23, or to a server 28 situated on a secured network whose access is controlled by the authentication server, establishes a secured communications link to the server by executing appropriate function calls 29 to the socket library, which in turn transmits function calls 30 to the TDI layer, causing the TDI layer to form datagrams or packets 31. Datagrams or packets 31 are then formatted over packaged for transmission by the hardware drivers 24 and sent to the communications network in the form of Ethernet packets or analog signals 32 containing the original datagrams from the TDI layer. Once the secured communications link has been established, client authentication software 20 encrypts all further data communications 34 from

applications 27, which are indicated by dashed lines, before handing them off to the next lower layer in the form of encrypted files 35. The dashed lines are shown in Fig. 2 as extending only to the TDI layer 21, because the datagrams formed by the TDI layer are indistinguishable as to content, but it is to be understood that datagrams or packets 31 carry both the communications used to establish the secure channel, and the encrypted files subsequently sent therethrough.

Finally, in the case of SmartGATE™, the authentication client software utilizes either a smart card or secured file to supply the secret keys used during authentication to generate a session key for encryption of further communications, and also to carry out certain other encryption and authentication functions, although it is of course within the scope of the invention to use key distribution and authentication methods which do not rely on smartcards or tokens, and the tokens are not involved in any of the basic communications functions of the client authentication software 20.

In addition to the applications 27 which communicate with the server via the authentication/encryption software 20, a typical system will have a number of additional software applications 36 and 37 capable of carrying out communications over the open network, but which the authentication client software is not configured to handle,

and which are not specifically adapted or intended to carry out communications with the authentication server. These are referred to herein as peer-to-peer applications, and can include applications which use the same sockets as the authentication client software, applications which directly call upon a transport driver interface stack, whether using the same protocol as the authentication client software or another protocol, all of which are intended to be represented by the TDI layer, and applications which are written to call directly upon the hardware drivers. These peer-to-peer applications may have their own encryption and authentication capabilities, but cannot utilize the services of the authentication server or client software, and therefore the function calls made by the applications and the files transmitted are indicated by separate reference numerals 40-43.

It will be appreciated by those skilled in the art that lower layer application programs which generate packets in forms other than those represented by the TDI layer are also possible, and should be considered within the scope of the invention, but at present virtually all open network applications use at least one of the TDI protocols, and thus while these programs may interact directly with the network driver layer, and require a network driver layer shim, as will be discussed below, are illustrated for purposes of convenience as part of the TDI layer applications.

Turning now to a preferred embodiment of the invention, the arrangement shown in Fig. 3 modifies the arrangement of Fig. 2 by adding a socket shim 50 between the socket 22 utilized by the authentication client software 20, the peer-to-peer applications 36 which also utilize the socket 20, and the authentication client software itself. The shim 50 operates by hooking or intercepting call initiation function calls 40 made to the socket and, in response thereto, having the authentication client software initiate communications with the authentication server 23, shown in Fig. 6, in order to carry out the authentication protocol, as will be discussed in more detail below. Shim 50 also causes files 41 intended for the TDI layer to be diverted to the authentication software for encryption based on the session keys generated during the initial communications with the authentication server, and transmission as encrypted files 51 addressed to the peer application, also shown in Fig. 6, which could also be an application on the application server 28.

Since the basic authentication client software is designed to send all communications directly to the authentication server, while the peer-to-peer applications are designed only to communicate with "peers" 45 and not with the authentication server, the principal function of shim 50 is to arrange for the destination of address of the communication to be supplied to both the authentication

client software and to authentication server, even though the peer application assumes that it is communicating only with the peer application. This function permits session key encrypted communications to be forwarded directly to the peer application, as illustrated in Fig. 6, while the latter function provides the authentication server with the client address so that the authentication server can establish a secured and authenticated link with the peer application, via authentication client software on the peer computer, and transmit the session key to the peer application or at least enable the peer application to recreate the session so that it can decrypt the encrypted files received directly from the client application.

Thus, while it is appreciated that the use of socket shims is well-known, as mentioned above, the socket shim shown in Fig. 2 has the unique function of enabling direct peer-to-peer communications with mediation by the authentication server, permitting the highest level of authentication service and collateral functions. In addition, because of the mediation by the key server, the peer applications do not need to have a shared secret key, allowing centralized key management, with only the authentication server having access to all of the client's secret keys.

Figs. 4 shows the variation of the client authentication software 20 in which a TDI shim 52 similar

in function to the socket shim 50 is provided above the TDI layer. Like the socket shim, implementation of the TDI shim essentially simply involves diverting certain information to the client software in order to establish a communications link with the authentication server, and subsequently perform encryption to obtain encrypted files 54 for transmission directly through the TDI layer in the usual manner. As with the socket shim, TDI shims are not new and can be implemented in known manner, by intercepting TDI service requests, but with the difference from prior TDI shims that the TDI shim works with the authentication software 20 and authentication server to authenticate communications and generate a session key.

Finally, as shown in Fig. 5, a further layer of authentication and encryption may be added by adding a network driver shim 55, either to the arrangement shown in Fig. 3 without the TDI shim, in combination with the TDI shim shown in Fig. 4, or in combination with the TDI shim of Fig. 4 but not the socket shim, to provide for authentication of communications at the network driver layer. At this layer, the shim 55 intercepts IP packets from applications 56, but instead of referring back to the applications level routine, checks the destination address (which can be in TCP format, UDP format, and so forth), establishes a session key by communications with the authentication server, converts the session key into a format which can be used to encrypt the IP packet, and

sends the IP packet towards the destination, all by carrying out the necessary operations at the network driver level, in a manner similar to that utilized by the above-mentioned SnareNet software program, but with the difference that the authenticating communications link and key generation is carried out by packets addressed to a corresponding layer 56 of the authentication server, which may be further connected to an applications server 57.

It will be noted that since the IP packets are not distinguishable by content, the network driver layer shim could be used as an additional level of security, rather than as an alternative to applications level encryption, with the encrypted files generated by software 20 being further encrypted by shim 55 before transmission to the authentication server or associated gateway.

The overall system utilizing the authentication client software illustrated in Figs. 3-5 is schematically illustrated in Fig. 6. The principal components of the overall system are the client computers containing software of the type illustrated in Figs. 2-5, including client authentication software 20 and shims 50, 53, and/or 55, and applications with communications capabilities (represented by applications 27, 36, 37, and 56 on one client, and application 45 on the other). For purposes of illustration, the client of Figs. 6 is thus depicted as including applications for communicating at the highest

levels, such as the SmartGATE™ proxy application, applications for communicating at the network driver level with corresponding applications connected to the lower layer of the authentication server, and peer-to-peer applications with no capability of communicating with SmartGATE™, but which use sockets or TDI protocols recognized by the shims.

In the case of the SmartGATE™ proxy application, communications are established in the same manner as in the currently available version of the SmartGATE™ authentication client software, and as described in U.S. Patent No. 5,602,918, the communications link being indicated by arrows 60 and 61, with arrow 60 representing the client/server response channel used to authenticate the parties and generate the session key.

In the case of a peer-to-peer application, in which the clients wish to communicate over a direct link 62, the invention provides for the function calls establishing the communications to be intercepted and the initialization procedure routed through channel 61 to the authentication server 23. Server 23 then opens a secured channel 63 to the authentication client software 20 associated with peer application 45 by performing the same mutual authentication procedure performed for the purpose of establishing channel 63, and once the channel is established with its own session key, transmits information using the channel 63

session key which allows the client to recreate the channel 60 session key for use in decrypting communications sent over channel 62. Alternatively, after establishing channel 63, the channel 60 session key could be used to transmit back to the original sending party information necessary to recreate the channel 63 session key. In either case, the authentication server is thus used to establish a fully authenticated "tunnel" between the peer applications without the need to modify any of the sockets, TDI protocols, or hardware drivers on either of the client computers. While the transmitting peer application has no way of directly authenticating the receiving peer, only a receiving peer authenticated by the authentication server will be able to generate the necessary session keys, and thus each of the parties to the communication is effectively authenticated.

For the lower layer application 56, a similar protocol may be employed, in which the attempted communication between lower layer applications is intercepted, and the communications link to the authentication server is used to generate a session key, which is then used to encrypt the packets or datagrams being sent. In this case, the destination must be the lower layer of the authentication server, and thus the communications link is indicated by a separate channel 67.

Finally, the procedures associated with the network illustrated in Fig. 6 are summarized in the flowchart of Fig. 7. For communications directly with the applications level portion of the server 23, steps 100-103 are used, while for peer-to-peer communications, steps 104-109 are used, and for network driver level communications, steps 110-114 are used.

In particular, step 100 by which the applications level authentication program 20 illustrated in Figs. 3-5 receives a call initiation request, either directly from a supported applications program 27 or from a programs 36 and 37 via one of the shims 50 and 53, step 101 is step by which the program 20 addresses the authentication server, step 102 is the step by which the client and server are mutually authenticated and the session keys generated using, for example, the procedure described in U.S. Patent No. 5,602,918, and step 103 is the step by which program 20 encrypts further communications received directly or via shims 50 and 53 from the applications programs 27, 36, and 37.

For peer-to-peer communications, step 105, which is part of step 100, is the step by which the peer address is supplied to program 20, steps 106 and 107 are identical to steps 101 and 102, step 108 is the step by which communications channel 63 shown in Figure 6 is established, step 109 is the step by which the destination computer

authenticated by the server is enabled to decrypt communications received over channel 62, and step 110 is the step by which program 20 encrypts the communications. It will of course be appreciated that these steps represent only a summary of the steps involved in carrying out the present invention, and that further steps will be apparent to those skilled in the art based on the above description of the apparatus and software portions of the preferred embodiment of the invention.

Having thus described various preferred embodiments of the invention, those skilled in the art will appreciate that variations and modifications of the preferred embodiment may be made without departing from the scope of the invention. It is accordingly intended that the invention not be limited by the above description or accompanying drawings, but that it be defined solely in accordance with the appended claims.

I claim:

1. Apparatus for carrying out communications over a multi-tier virtual private network, said network including a server and a plurality of client computers, the server and client computers each including means for transmitting data to and receiving data from an open network, comprising:

means for intercepting function calls and requests for service sent by an applications program on one of said client computers to a lower level set of communications drivers; and

means for causing an applications level authentication and encryption program in said one of said client computers to communicate with the server, generate said session key, and encrypt files sent by the applications program before transmittal over said open network.

2. Apparatus as claimed in claim 1, further comprising means for intercepting files packaged by a transport driver interface layer to form packets and encrypting the packets using a session key generated during communications with a lower layer of the server.

3. A method as claimed in claim 1, further comprising

means for intercepting a destination address during initialization of communications between said one of said

client computers and a second of said client computers on said virtual private network;

means for causing said applications level authentication and encryption program to communicate with the server to carry out functions a.) and b.);

means for transmitting said destination address to said server;

means for causing said server to carry-out functions a.) and b.) with respect to the second of said two client computers;

means for enabling said second of said two client computers to recreate the session key;

means for causing said authentication software to encrypt files to be sent to the destination address using the session key; and

means for transmitting the encrypted files directly to the destination address.

4. Apparatus as claimed in claim 3, wherein said means for intercepting the destination address is carried out by a shim positioned between a peer-to-peer applications program and a layer of a communications driver architecture of said one of the two client computers.

5. A multi-tier virtual private network, comprising:

a server and a plurality of client computers, the server and client computers each including means for

transmitting data to and receiving data from an open network,

wherein said means for transmitting data to and receiving data from the open network includes, in any client computer initiating communications with the server:

applications level encryption and authentication software arranged to communicate with the server in order to: a.) mutually authenticate the server and the client computer initiating communications with the server and b.) generate a session key for use by the client computer initiating communications to encrypt files;

at least one lower level set of communications drivers;

and a shim arranged to intercept function calls and requests for service sent by an applications program to the lower level set of communications drivers in order to cause the applications level authentication and encryption program to communicate with the server, generate said session key, and encrypt files sent by the applications program before transmittal over said open network.

6. A multi-tier virtual private network as claimed in claim 5, wherein said lower level set of communications drivers includes a network driver layer, a transport driver

interface layer arranged to package applications files as packets capable of being routed over the open network and supply the packets to the network driver layer for transmission to the open network, and an applications socket for facilitating service requests by said applications program to the transport driver interface layer, and wherein said shim is a socket shim positioned between the applications program and the socket to intercept function calls to the socket in order to cause the applications level authentication and encryption program to communicate with the server, generate said session key, and encrypt files sent by the applications program before the files are packaged by the transport driver interface layer.

7. A multi-tier virtual private network as claimed in claim 6, wherein said applications program is a peer-to-peer communications program, and wherein a peer application destination address, included in said function calls to the socket, is diverted by the socket shim and wherein a destination address including said intercepted function calls is supplied to the server during communications with the server, causing the service to establish a communications link with a peer application, mutually authenticate the peer application, and enable the peer application to reconstruct the session key in order to receive encrypted files sent by the peer-to-peer communications program over the open network.

8. A multi-tier virtual private network as claimed in claim 6, further including a transport driver interface shim positioned between the transport driver interface layer and a second applications program, for intercepting requests from the second applications program for service by the transport driver interface layer in order to cause the applications level authentication and encryption program to communicate with the server, generate said session key, and encrypt files sent by the applications program before the files are packaged by the transport driver interface layer.

9. A multi-tier virtual private network as claimed in claim 8, further comprising a network driver layer shim positioned between the network driver layer and the transport driver interface layer and arranged to intercept files packaged by the transport driver interface layer and encrypt the files using a session key generated during communications with a lower layer of the server.

10. A multi-tier virtual private network as claimed in claim 5, wherein said lower level set of communications drivers includes a network driver layer, and a transport driver interface layer arranged to package applications files as packets capable of being routed over the open network and supply the packets to the network driver layer for transmission to the open network, and wherein said shim is a transport driver interface layer shim positioned

between the applications program and the transport driver interface layer to intercept service requests by the applications program to the transport driver interface layer in order to cause the applications level authentication and encryption program to communicate with the server, generate said session key, and encrypt files sent by the applications program before the files are packaged by the transport driver interface layer.

11. A multi-tier virtual private network as claimed in claim 10, wherein said applications program is a peer-to-peer communications program, and wherein a peer application destination address, included in said intercepted requests for service, is diverted by the transport driver interface layer shim and supplied to the server during communications with the server, causing the service to establish a communications link with a peer application, mutually authenticate the peer application, and enable the peer application to reconstruct the session key in order to receive encrypted files sent by the peer-to-peer communications program over the open network.

12. A multi-tier virtual private network as claimed in claim 10, further comprising a network driver layer shim positioned between the network driver layer and the transport driver interface layer and arranged to intercept files packaged by the transport driver interface layer and

encrypt the files using a session key generated during communications with a lower layer of the server.

13. A multi-tier virtual private network, comprising:

a server and a plurality of client computers, the server and client computers each including means for transmitting data to and receiving data from an open network,

wherein said means for transmitting data to and receiving data from the open network includes, in any client computer initiating communications with the server:

applications level encryption and authentication software arranged to communicate with the server in order to: a.) mutually authenticate the server and the client computer initiating communications with the server and b.) generate a session key for use by the client computer initiating communications to encrypt files; and

at least one lower level set of communications drivers,

wherein said lower level set of communications drivers includes a network driver layer, a transport driver interface layer arranged to package applications files as packets capable of being routed over the open network and supply the packets to the network driver layer for transmission to the open network, and a

network driver layer shim positioned between the transport driver interface layer and the network driver layer and arranged to intercept files packaged by the transport driver interface layer and encrypt the files using a session key generated during communications with a lower layer of the server.

14. A multi-tier virtual private network, comprising:

a server and a plurality of client computers, the server and client computers each including means for transmitting data to and receiving data from an open network,

wherein said means for transmitting data to and receiving data from the open network includes, in any client computer initiating communications with the server:

applications level encryption and authentication software arranged to communicate with the server in order to: a.) mutually authenticate the server and the client computer initiating communications with the server and b.) generate a session key for use by the client computer initiating communications to encrypt files; and

further comprising means for securing peer-to-peer communications between applications on two of said client computers, said peer-to-peer communications securing means comprising:

means for intercepting a destination address during initialization of communications by a first of said two client computers;

means for causing said authentication software to communicate with the server to carry out functions a.) and b.);

means for transmitting said destination address to said server;

means for causing said server to carry-out functions a.) and b.) with respect to the second of said two client computers;

means for enabling said second of said two client computers to recreate the session key;

means for causing said authentication software to encrypt files to be sent to the destination address using the session key;

means for transmitting the encrypted files directly to the destination address.

15. A multi-tier virtual private network as claimed in claim 14, wherein said means for intercepting the destination address comprises a shim positioned between the peer-to-peer applications program and a layer of a communications driver architecture of said first of the two client computers.

16. A multi-tier virtual private network as claimed in claim 5, wherein said shim is positioned above a socket,

the socket being positioned above a transport driver layer of said communications driver architecture.

17. A multi-tier virtual private network as claimed in claim 5, wherein said shim is positioned above a transport driver layer of said communications driver architecture.

18. Computer software for installation on a client computer of a multi-tier virtual private network, said network including a server and a plurality of client computers, the server and client computers each including means for transmitting data to and receiving data from an open network,

wherein said computer software includes:

applications level encryption and authentication software arranged to communicate with the server in order to: a.) mutually authenticate the server and the client computer initiating communications with the server and b.) generate a session key for use by the client computer initiating communications to encrypt files;

and a shim arranged to intercept function calls and requests for service sent by an applications program to a lower level set of communications drivers in order to cause the applications level authentication and encryption program to communicate with the server, generate

said session key, and encrypt files sent by the applications program before transmittal over said open network.

19. Computer software as claimed in claim 18, wherein said lower level set of communications drivers includes a network driver layer, a transport driver interface layer arranged to package applications files as packets capable of being routed over the open network and supply the packets to the network driver layer for transmission to the open network, and an applications socket for facilitating service requests by said applications program to the transport driver interface layer, and wherein said shim is a socket shim positioned between the applications program and the socket to intercept function calls to the socket in order to cause the applications level authentication and encryption program to communicate with the server, generate said session key, and encrypt files sent by the applications program before the files are packaged by the transport driver interface layer.

20. Computer software as claimed in claim 19, wherein said applications program is a peer-to-peer communications program, and wherein a peer application destination address, included in said function calls to the socket, is diverted by the socket shim and wherein a destination address including said intercepted function calls is supplied to the server during communications with the

server, causing the service to establish a communications link with a peer application, mutually authenticate the peer application, and enable the peer application to reconstruct the session key in order to receive encrypted files sent by the peer-to-peer communications program over the open network.

21. Computer software as claimed in claim 19, further including a transport driver interface shim positioned between the transport driver interface layer and a second applications program, for intercepting requests from the second applications program for service by the transport driver interface layer in order to cause the applications level authentication and encryption program to communicate with the server, generate said session key, and encrypt files sent by the applications program before the files are packaged by the transport driver interface layer.

22. Computer software as claimed in claim 21, further comprising a network driver layer shim positioned between the network driver layer and the transport driver interface layer and arranged to intercept files packaged by the transport driver interface layer and encrypt the files using a session key generated during communications with a lower layer of the server.

23. Computer software as claimed in claim 18, wherein said lower level set of communications drivers includes a

network driver layer, and a transport driver interface layer arranged to package applications files as packets capable of being routed over the open network and supply the packets to the network driver layer for transmission to the open network, and wherein said shim is a transport driver interface layer shim positioned between the applications program and the transport driver interface layer to intercept service requests by the applications program to the transport driver interface layer in order to cause the applications level authentication and encryption program to communicate with the server, generate said session key, and encrypt files sent by the applications program before the files are packaged by the transport driver interface layer.

24. Computer software as claimed in claim 23, wherein said applications program is a peer-to-peer communications program, and wherein a peer application destination address, included in said intercepted requests for service, is diverted by the transport driver interface layer shim and supplied to the server during communications with the server, causing the service to establish a communications link with a peer application, mutually authenticate the peer application, and enable the peer application to reconstruct the session key in order to receive encrypted files sent by the peer-to-peer communications program over the open network.

25. Computer software as claimed in claim 23, further comprising a network driver layer shim positioned between the network driver layer and the transport driver interface layer and arranged to intercept files packaged by the transport driver interface layer and encrypt the files using a session key generated during communications with a lower layer of the server.

26. Computer software for installation on a client computer of a multi-tier virtual private network, said network including a server and a plurality of client computers, the server and client computers each including means for transmitting data to and receiving data from an open network,

wherein said computer software includes:

applications level encryption and authentication software arranged to communicate with the server in order to: a.) mutually authenticate the server and the client computer initiating communications with the server and b.) generate a session key for use by the client computer initiating communications to encrypt files; and

at least one lower level set of communications drivers,

wherein said lower level set of communications drivers includes a network driver layer, a transport driver interface layer

arranged to package applications files as packets capable of being routed over the open network and supply the packets to the network driver layer for transmission to the open network, and a network driver layer shim positioned between the transport driver interface layer and the network driver layer and arranged to intercept files packaged by the transport driver interface layer and encrypt the files using a session key generated during communications with a lower layer of the server.

27. Computer software for installation on a client computer of a multi-tier virtual private network, said network including a server and a plurality of client computers, the server and client computers each including means for transmitting data to and receiving data from an open network,

wherein said computer software includes:

applications level encryption and authentication software arranged to communicate with the server in order to: a.) mutually authenticate the server and the client computer initiating communications with the server and b.) generate a session key for use by the client computer initiating communications to encrypt files; and

further comprising means for securing peer-to-peer communications between applications on two of said client

computers, said peer-to-peer communications securing means comprising:

means for intercepting a destination address during initialization of communications by a first of said two client computers;

means for causing said authentication software to communicate with the server to carry out functions a.) and b.);

means for transmitting said destination address to said server;

means for causing said server to carry-out functions a.) and b.) with respect to the second of said two client computers;

means for enabling said second of said two client computers to recreate the session key;

means for causing said authentication software to encrypt files to be sent to the destination address using the session key;

means for transmitting the encrypted files directly to the destination address.

28. Computer software as claimed in claim 27, wherein said means for intercepting the destination address comprises a shim positioned between the peer-to-peer applications program and a layer of a communications driver architecture of said first of the two client computers.

29. Computer software as claimed in claim 27, wherein said shim is positioned above a socket, the socket being positioned above a transport driver layer of said communications driver architecture.

30. Computer software as claimed in claim 27, wherein said shim is positioned above a transport driver layer of said communications driver architecture.

31. A method of carrying out communications over a multi-tier virtual private network, said network including a server and a plurality of client computers, the server and client computers each including means for transmitting data to and receiving data from an open network, comprising the steps of:

intercepting function calls and requests for service sent by an applications program in one of said client computers to a lower level set of communications drivers;

causing an applications level authentication and encryption program said one of said client computers to communicate with the server, generate said session key, and encrypt files sent by the applications program before transmittal over said open network.

32. A method as claimed in claim 31, further comprising the step of intercepting files packaged by a transport driver interface layer to form packets and encrypting the

packets using a session key generated during communications with a lower layer of the server.

33. A method as claimed in claim 31, further comprising the step of intercepting a destination address during initialization of communications between said one of said client computers and a second of said client computers on said virtual private network;

causing said applications level authentication and encryption program to communicate with the server to carry out functions a.) and b.);

transmitting said destination address to said server;

causing said server to carry-out functions a.) and b.) with respect to the second of said two client computers;

enabling said second of said two client computers to recreate the session key;

causing said authentication software to encrypt files to be sent to the destination address using the session key; and

transmitting the encrypted files directly to the destination address.

34. A method as claimed in claim 33, wherein said step of intercepting the destination address is carried out by a shim positioned between a peer-to-peer applications program

and a layer of a communications driver architecture of said one of the two client computers.

ABSTRACT OF THE DISCLOSURE

A virtual private network for communicating between a server and clients over an open network uses an applications level encryption and mutual authentication program and at least one shim positioned above either the socket, transport driver interface, or network interface layers of a client computer to intercept function calls, requests for service, or data packets in order to communicate with the server and authenticate the parties to a communication and enable the parties to the communication to establish a common session key. Where the parties to the communication are peer-to-peer applications, the intercepted function calls, requests for service, or data packets include the destination address of the peer application, which is supplied to the server so that the server can authenticate the peer and enable the peer to decrypt further direct peer-to-peer communications.

NWB-B:\VPN.APP

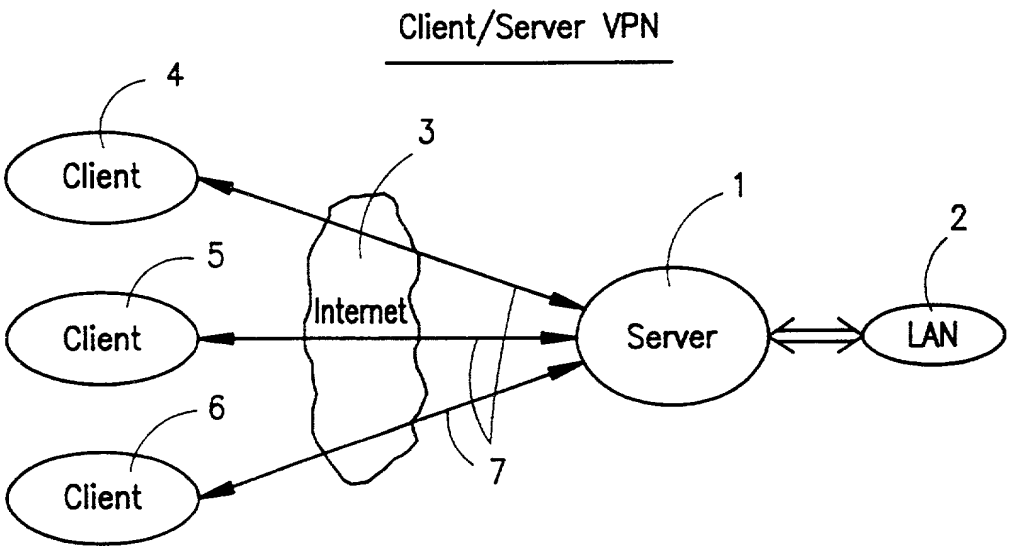


FIG. 1A
(PRIOR ART)

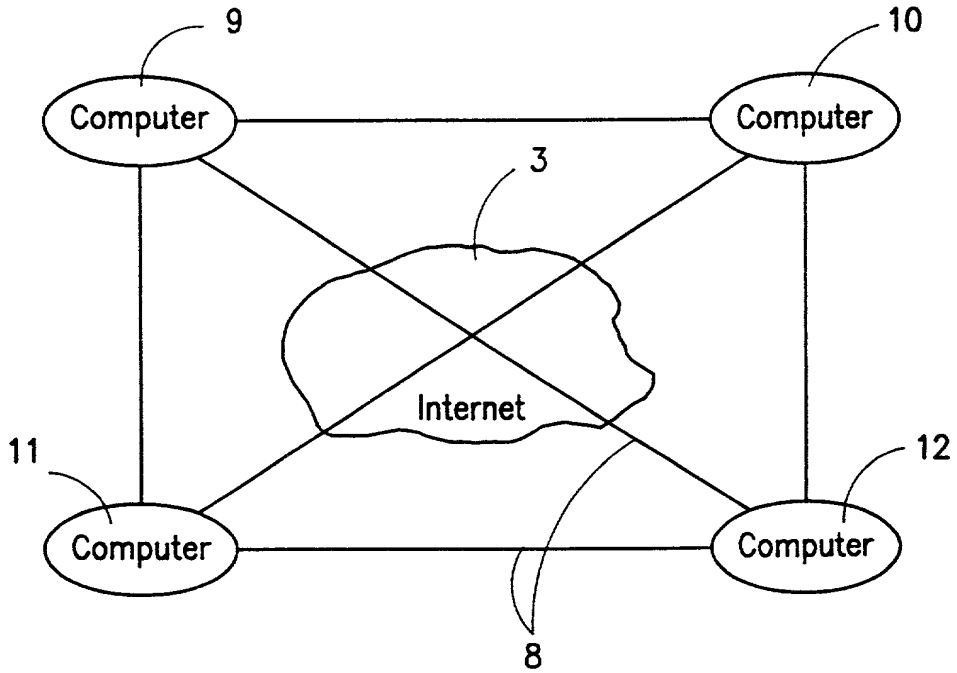


FIG. 1B
(PRIOR ART)

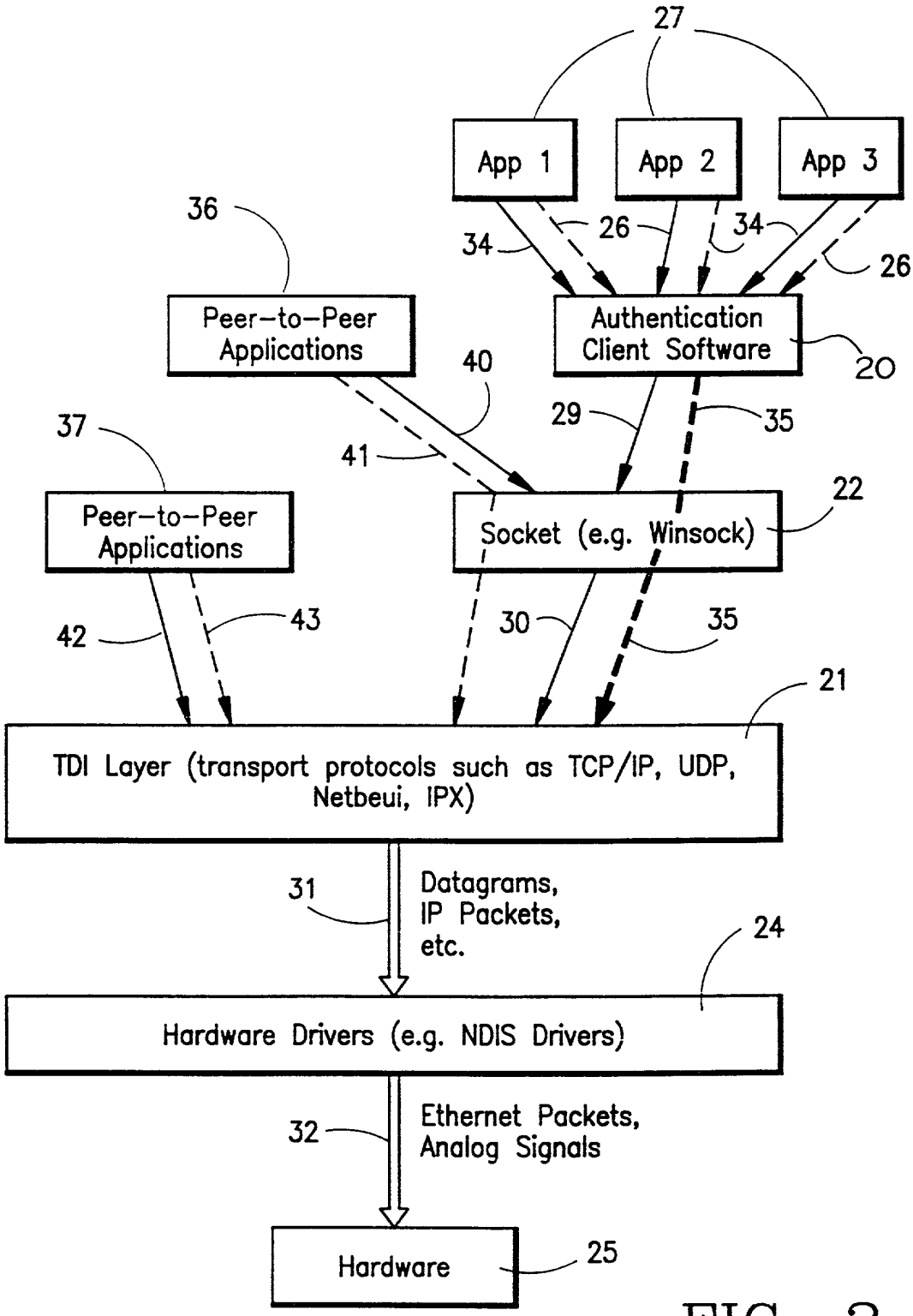
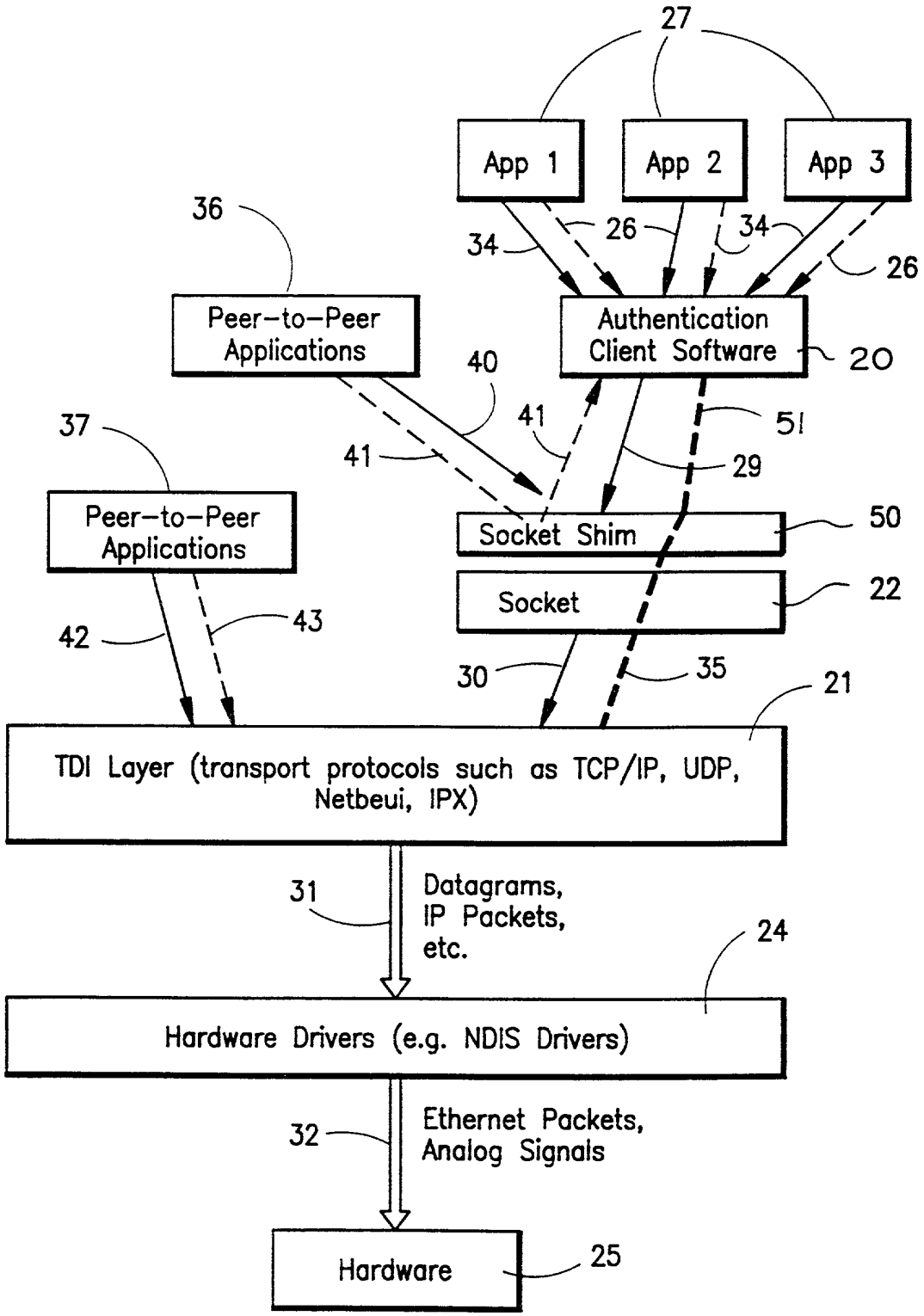


FIG. 2
(PRIOR ART)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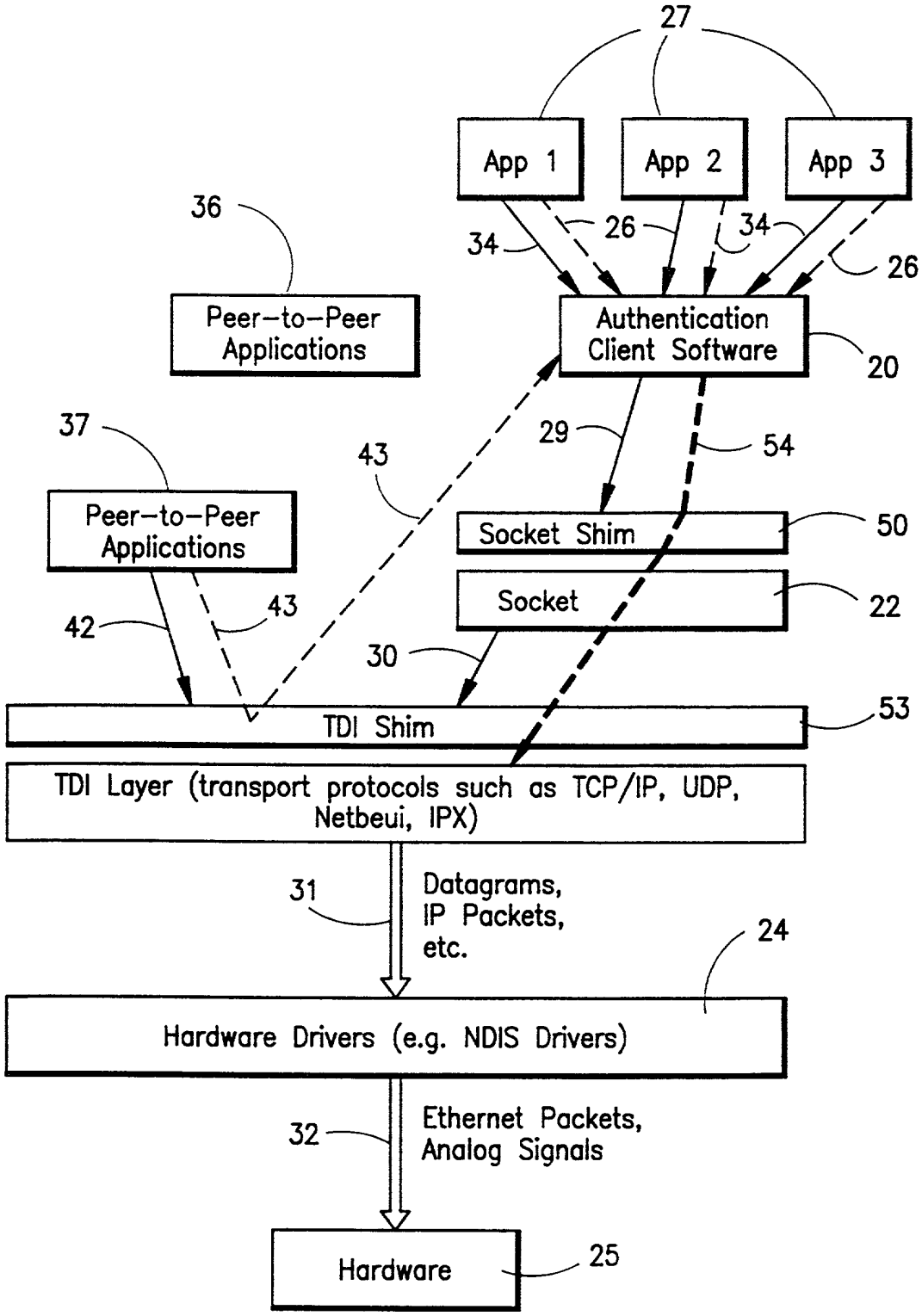
App 1
App 2
App 3
36
34
26
34
26
Peer–to–Peer Applications
Authentication Client Software
20
40
41
51
37
41
29
Peer–to–Peer Applications
Socket Shim
50
Socket
22
42
43
30
35
21
TDI Layer (transport protocols such as TCP/IP, UDP, Netbeui, IPX)
31
Datagrams, IP Packets, etc.
24
Hardware Drivers (e.g. NDIS Drivers)
32
Ethernet Packets, Analog Signals
Hardware
25

FIG. 3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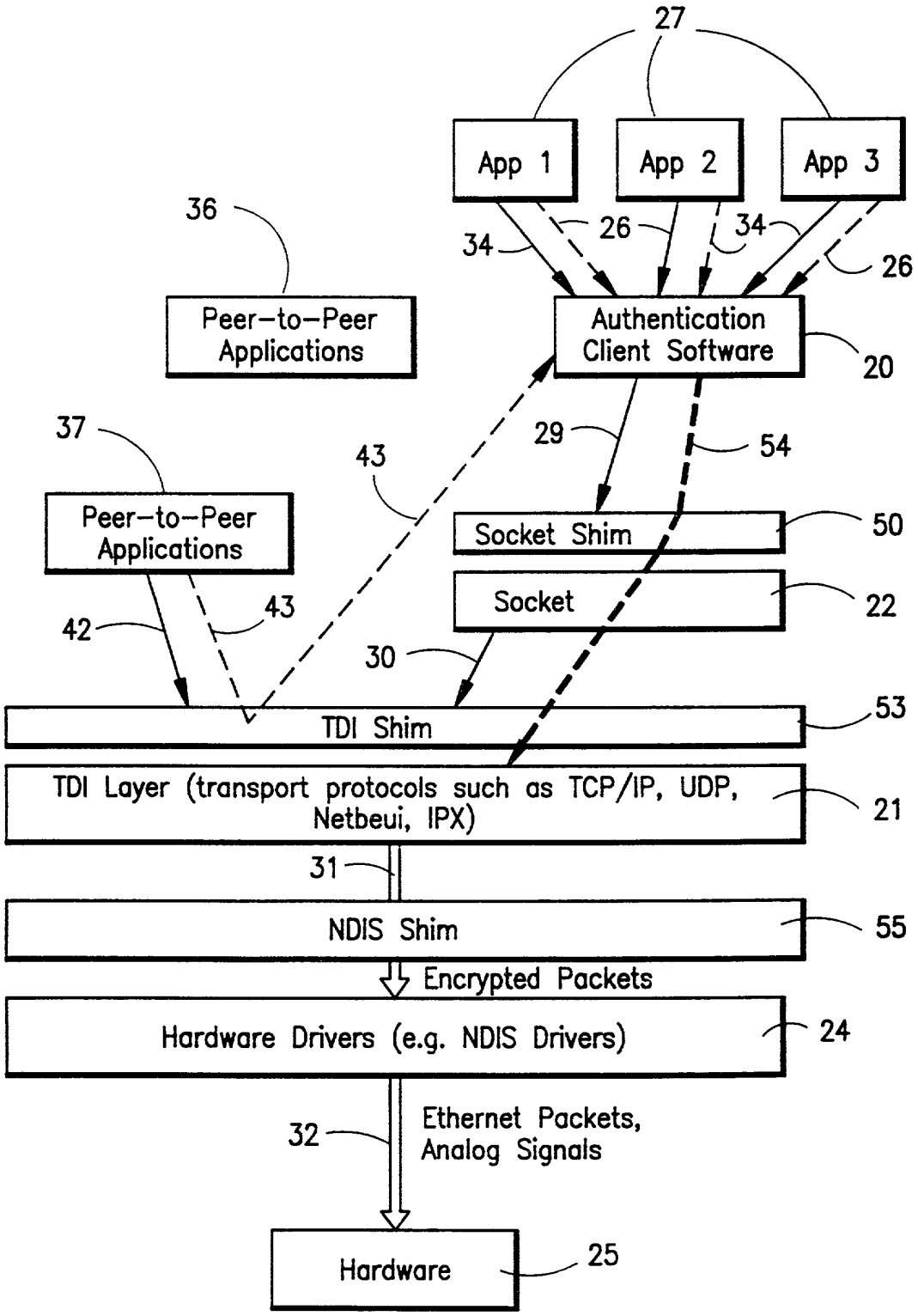
App 1
App 2
App 3
36
34
26
34
26
Peer–to–Peer Applications
Authentication Client Software
20
37
29
54
43
Peer–to–Peer Applications
Socket Shim
50
Socket
22
42
43
30
TDI Shim
53
TDI Layer (transport protocols such as TCP/IP, UDP, Netbeui, IPX)
31
Datagrams, IP Packets, etc.
24
Hardware Drivers (e.g. NDIS Drivers)
32
Ethernet Packets, Analog Signals
Hardware
25

FIG. 4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App 1
App 2
App 3
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Peer–to–Peer Applications
Authentication Client Software
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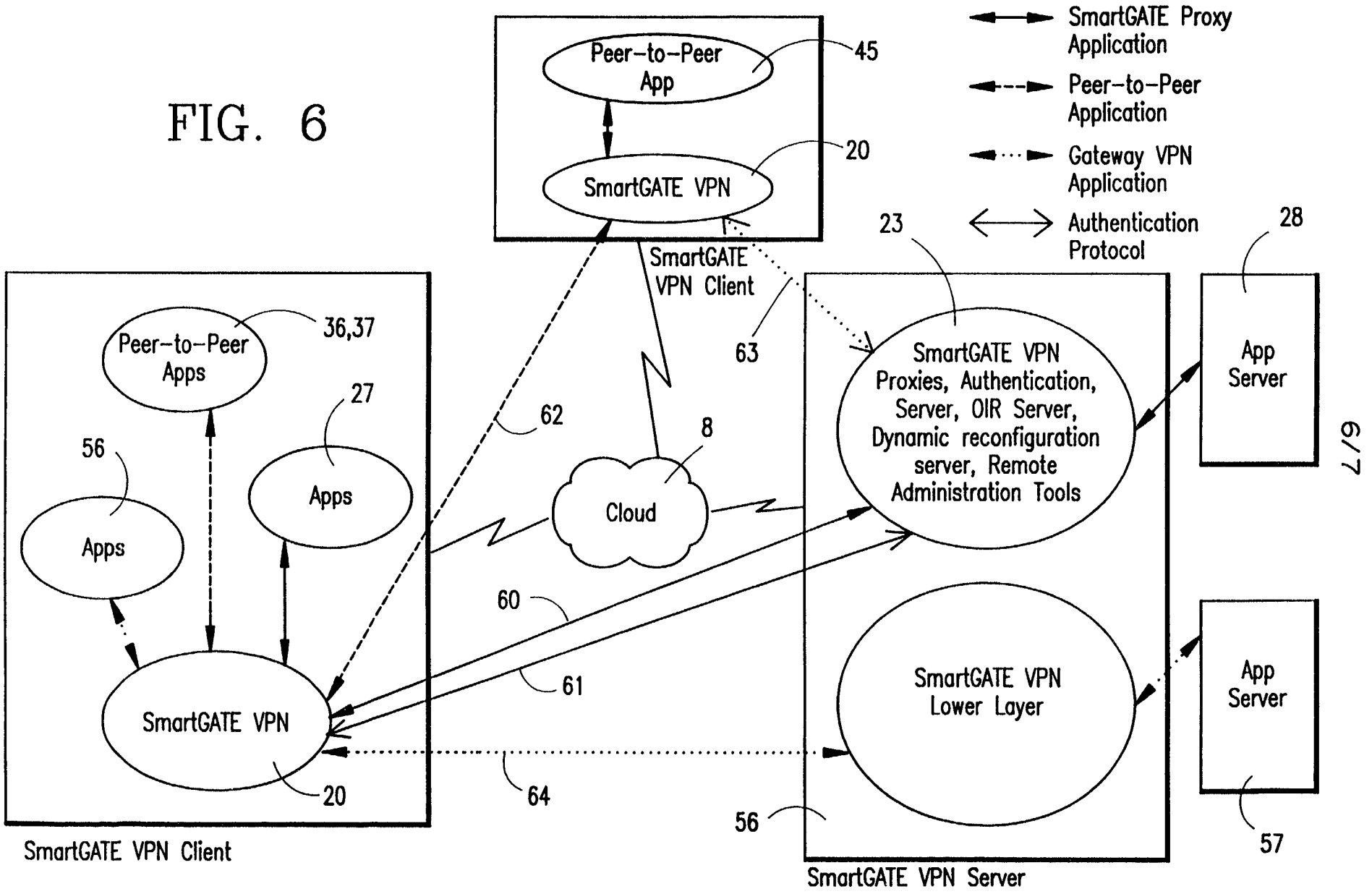
54
43
Peer–to–Peer Applications
Socket Shim
50
Socket
22
42
43
30
TDI Shim
53
TDI Layer (transport protocols such as TCP/IP, UDP, Netbeui, IPX)
21
31
NDIS Shim
55
Encrypted Packets
Hardware Drivers (e.g. NDIS Drivers)
24
32
Ethernet Packets, Analog Signals
Hardware
25

FIG. 5

FIG. 6


SmartGATE Proxy Application
Peer-to-Peer Application
Gateway VPN Application
Authentication Protocol
Peer-to-Peer App
45
20
SmartGATE VPN
SmartGATE VPN Client
23
28
63
Peer-to-Peer Apps
36,37
27
62
8
56
Apps
Apps
Cloud
SmartGATE VPN Proxies, Authentication, Server, OIR Server, Dynamic reconfiguration server, Remote Administration Tools
App Server
60
61
SmartGATE VPN
SmartGATE VPN Lower Layer
App Server
20
64
56
57
SmartGATE VPN Client
SmartGATE VPN Server

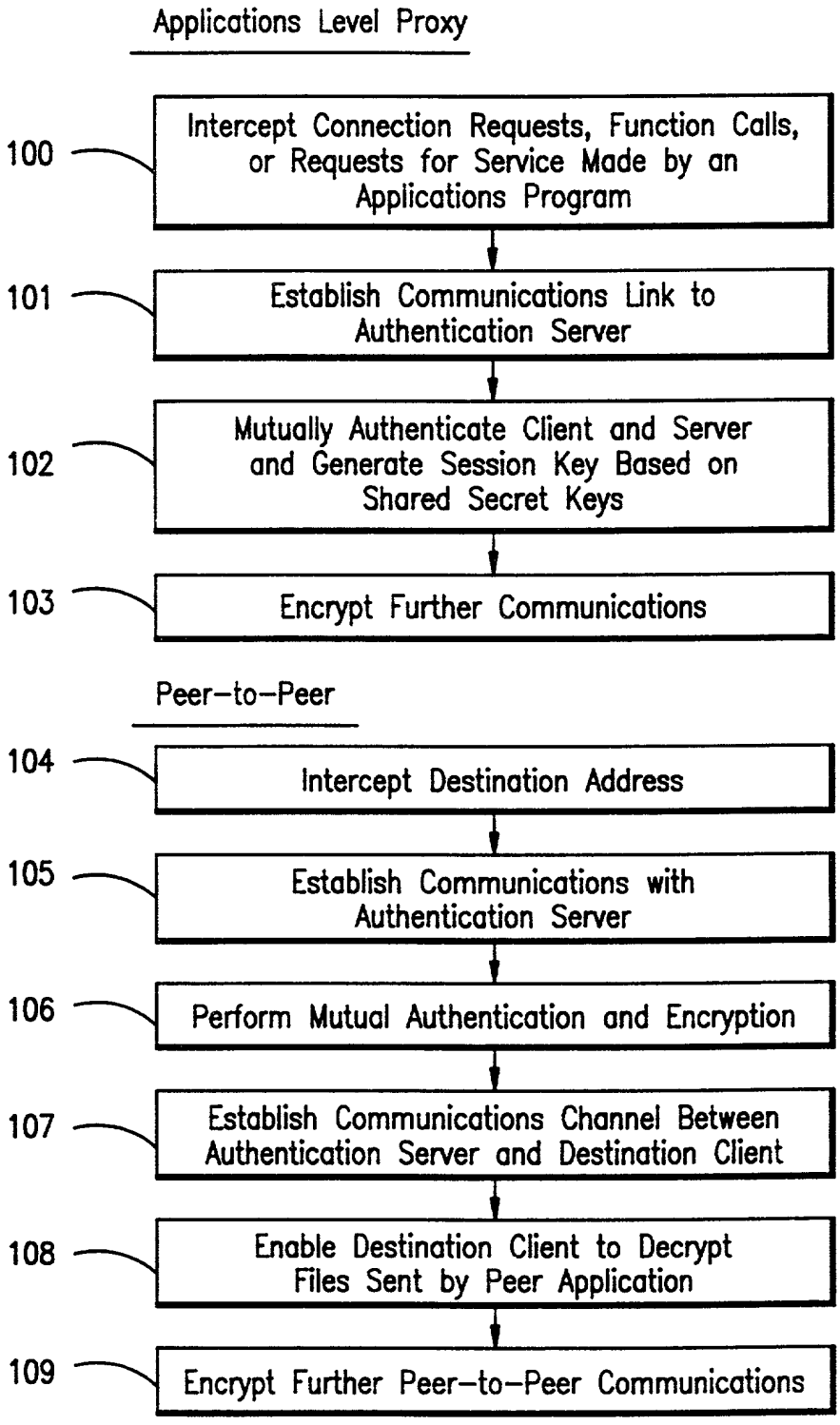

Applications Level Proxy
100
Intercept Connection Requests, Function Calls, or Requests for Service Made by an Applications Program
101
Establish Communications Link to Authentication Server
102
Mutually Authenticate Client and Server and Generate Session Key Based on Shared Secret Keys
103
Encrypt Further Communications
Peer-to-Peer
104
Intercept Destination Address
105
Establish Communications with Authentication Server
106
Perform Mutual Authentication and Encryption
107
Establish Communications Channel Between Authentication Server and Destination Client
108
Enable Destination Client to Decrypt Files Sent by Peer Application
109
Encrypt Further Peer-to-Peer Communications

FIG. 7

ATTORNEY/DOCK. NO: BEU/VONE/VPN

DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled:

MULTI-ACCESS VIRTUAL PRIVATE NETWORK

the specification of which (check one):

☐ is attached hereto, or ☒ was filed on: August 26, 1997 as U.S. Application Number or PCT International
Application Number: 08/917,341
and (if applicable) was amended on:

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in *Title 37, Code of Federal Regulations, §1.56*. I hereby claim foreign priority benefits under *Title 35, United States Code §119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)			PRIORITY CLAIMED	
Number	Country	Day/Month/Year Filed	Yes	No

☐ Additional Priority Application(s) Listed on Following Page(s)

I HEREBY CLAIM THE BENEFIT UNDER TITLE 35 U.S. CODE §119(E) OF ANY U.S. PROVISIONAL APPLICATIONS LISTED BELOW.	
Application Number	Day/Month/Year Filed

☐ Additional Provisional Application(s) Listed on Following Page(s)

I hereby claim the benefit under *Title 35, United States Code, §120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, §112*, I acknowledge the duty to disclose information which is material to patentability as defined in *Title 37, Code of Federal Regulations, §1.56* which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Number	Filing Date	Status - Patented, Pending or Abandoned

☐ Additional US/PCT Priority Application(s) listed on Following Page(s)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under *section 1001 of title 18 of the United States Code* and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: J. Ernest Kenney, Reg. No. 19,179; Eugene Mar, Reg. No. 25,893; Richard E. Fichter, Reg. No. 26,382; Charles R. Wolfe, Jr., Reg. No. 28,680; Thomas J. Moore, Reg. No. 28,974; Bruce H. Troxell, Reg. No. 26,592; and

I(we) authorize my(our) attorneys to accept and follow instructions from _____ regarding any matter related to the preparation, examination, grant and maintenance of this application, any continuation, continuation-in-part or divisional based thereon, and any patent resulting therefrom, until I(we) or my(our) assigns withdraw this authorization in writing.

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DATE X Jas 10/2 197	SIGNATURE X

☒ *See following page(s) for additional joint inventors.*

ATTORNEY'S DOCKET NO: DEUTSCHE

CONTINUATION OF DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

PRIOR FOREIGN APPLICATION(S) (35 USC §119)			PRIORITY CLAIMED	
Number	**Country**	**Day/Month/Year Filed**	**Yes**	**No**

PRIOR PROVISIONAL APPLICATIONS 35 U.S. CODE §119(E)	
Application Number	**Day/Month/Year Filed**

PRIOR U.S. OR PCT INTERNATIONAL APPLICATIONS (35 U.S. CODE §120)		
Application Number	**Filing Date**	**Status - Patented, Pending or Abandoned**

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DATE X 10/2/97	SIGNATURE X Jieh-Shan Wang

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FULL NAME OF JOINT INVENTOR	CITIZENSHIP
RESIDENCE ADDRESS	POST OFFICE ADDRESS IS THE SAME AS RESIDENCE ADDRESS UNLESS OTHERWISE SHOWN BELOW
DATE	SIGNATURE

☐ *See following pages for additional joint inventors/priority applications.*